

**DURHAM, NORTH CAROLINA
MONDAY, AUGUST 19, 2002
7:00 P.M.**

The Durham City Council met in regular session on the above date and time in the Council Chambers at City Hall with the following members present: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Absent: None.

Also present: City Manager Marcia L. Conner, City Attorney Henry Blinder, Deputy City Clerk Linda Bratcher and Records Management Coordinator LaVerne Brooks.

Mayor Bell called the meeting to order with the Pledge of Allegiance.

Mayor Bell presented lapel pins to the following athletes who competed in the North Carolina Special Olympic Summer games: Softball team: Donnell Osborne, Paul Sanford, Ashely Ravella, James Jenkins, Nathan Peters, Gary Benhausen, Emily Clark Jamie Devon, Kendrick Mangum and Walter Hampton. Track and Field: Jeremy Doakes, Katie Olinga-Aaron, Patricia Lyles, Richard Kreiselman, Theo Frison, and Chaak Sanchez Lopez. Swimming: Jonathan Small. Gymnastics: Nathan Freshwater, Charles Taylor and Terry Mathews.

Mayor Bell presented a proclamation proclaiming solidarity with the Afro-Colombian people to Mr. Marino Cordoba.

Mayor Bell asked for priority items from the City Manager, City Attorney and City Clerk. City Manager Conner recognized Budget Director Laura Gill for a presentation on Consent Item #47--American Tobacco. [No priority items from the City Attorney or City Clerk].

SUBJECT: AMERICAN TOBACCO - CAPITAL BROADCASTING CORPORATION (CBC)

Laura Gill presented Council with a memo/document [American Tobacco Complex – Revised Business Deal Points Document] dated August 19, 2002. She gave an overview of the revisions to business deal points document presented to Council on August 8, 2002 highlighting the changes in the following sections: I. Pre-Construction, II. Parking Garage and CBC Construction Requirements, III. Parking Garage Construction for North and South Garages, IV. Parking Garage Operations, V. Developer Incentives/Other and VI. Final Executed Development Agreement.

Council held discussion on the revisions to the business deal points, M/WBE participation, liveable wage ordinance and parking revenue.

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Council Member Best asked that surrounding property owners be notified when there is a potential for closing a street or limiting access.

Council held discussion on parking revenue, North Garage, estimator vs. hard bidding, change orders and construction manager.

Laura Gill informed Council that she will provide them with additional information on the number of things that have to happen prior to the approval of the development agreement at the August 22 work session.

Mayor Pro Tempore Cheek stated that he will be abstaining from voting on this item.

Council held discussion on the data site, market rate of \$4.50, land for South Garage \$10 per square foot, cost of South Deck, project cost and University Ford situation.

Budget Director Laura Gill noted for clarification the expenditure for the cost estimator or construction manager working for the City is not included in the numbers that have been presented to Council.

The following citizens spoke on this item:

Victoria Peterson noted the information for the public is incomplete, requested that a public hearing be held on this item and to see an invoice from CBC for the reimbursement for the design of the proposed parking garage. Also, she urged Council to not support resolution exempting the American Tobacco Complex parking garage from G. S. 143-64.31.

Larry Hester, of 3526 Abercromby Drive, raised a concern with the resolution noting there should not be any exemption of minority participation and noted CBC should be committing to spending dollars locally.

Bill Kalkhof, of DDI, spoke in support of the American Tobacco Project commenting on CBC's record and contributions to the community.

Ted Conner, representing the Chamber of Commerce, spoke in support of this item.

Don Larson spoke in favor of project.

Council Member Best asked the administration to revisit Section 5 D, beginning at Line 427 dealing with five-year option and the purchase price of the land at market rate of \$4.50 per square foot.

Mike Hill, of CBC, noted that the market rate of \$4.50 per square foot is set.

After discussion, City Manager Conner noted the following changes to the business deal points document:

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1. To negotiate a fee not to exceed \$5 with the County regarding the transfer of the land for Phase B of the North Deck.
2. To add clarifying language to Section 4 A on Page 8, to state the City and County shall receive revenue from the garages for special events after the established hours of operations for CBC.
3. CBC shall agree to consider implementing the Livable Wage Ordinance where possible.
4. CBC shall agree to speak to Mr. Joseph Yongue regarding utilizing the services as a part of the American Tobacco project.
5. CBC shall provide updates to Council regarding M/WBE participation goals and goal attainment through the progress of project [what would the goals be for the project and how far have they achieved them at the end of the project].

MOTION by Council Member Clement seconded by Council Member Edwards to authorize the City Manager to negotiate for City Council consideration a development agreement with Capital Broadcasting Corporation, for redevelopment of the American Tobacco complex based on the “business deal points” document as amended was approved at 9:05 p.m. by the following vote: Ayes: Mayor Bell and Council Members Clement, Cole-McFadden, Edwards and Stith. Noes: Council Member Best. Abstention: Mayor Pro Tempore Cheek. Absent: None.

MOTION by Council Member Clement seconded by Council Member Edwards to authorize the City Manager to reimburse Capital Broadcasting Corporation, for the design of a proposed parking garage for an amount not to exceed \$125,000; and

To adopt a “Resolution Declaring the Intent of the City of Durham to Reimburse Itself for Capital Expenditures Incurred in Connection with the Construction of Parking Facilities in the City from the Proceeds of Certain Tax-Exempt Obligations to be Executed and Delivered During Fiscal Year 2003”; and

To adopt a “Resolution Exempting The American Tobacco Complex Parking Garage Project from G. S. 143-64.31”; and

To adopt “An Ordinance Amending General Capital Improvement Project Ordinance #12587”, that increases revenues and appropriations in the General Services Section by \$15,000,000 was approved at 9:07 p.m. by the following vote: Ayes: Mayor Bell and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Abstention: Mayor Pro Tempore Cheek. Absent: None.

Resolution #8890 – 8891
Ordinance #12643

Mayor Bell asked if any citizen(s) or council member(s) wanted to pull any items from the Consent Agenda. The following items were pulled from Consent Agenda: #7

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[Communication Tower Consultant Recommendations], #10 [Bids – Industrial Work Uniforms]; #14 [Durham After School Program Strategy FY 2003] and #35 [Personnel Allocation Report]

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve the Consent Agenda as amended was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

[CONSENT AGENDA]

**SUBJECT: MUNICIPAL RECORDS RETENTION AND DISPOSITION
SCHEDULE AMENDMENTS**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve statewide amendments to the Municipal Records Retention and Disposition Schedule approved by City Council on November 17, 1997 was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: DURHAM OPEN SPACE & TRAILS COMMISSION
APPOINTMENTS**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to reappoint Lydia Lavelle to represent Ward 2 and to appoint Stephen K. Hiltner to represent At-Large with terms expiring June 30, 2005 was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: CITIZENS ADVISORY COMMITTEE - APPOINTMENT

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to reappoint Wendy Clark as a Target Area Member and to appoint Tanya Nicole Mitchell as a City Wide Member with terms expiring June 30, 2005 was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: STREET CLOSING - WALLTOWN ALLEYS

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt Resolutions of Intent to Consider Permanently Closing 18 Alleys and Portions of Alleys in Walltown; and

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To set a public hearing for September 3, 2002 to receive public comment on permanently closing 18 alleys and portions of alleys in Walltown was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Resolution #8892 – 8893 - 8894

SUBJECT: STREET CLOSING - LAMBETH CIRCLE CLOSING

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt a Resolution of Intent to close a 591 linear foot portion of Lambeth Circle, off of Erwin Road east of LaSalle Street; and

To set a public hearing for September 3, 2002, to receive public comment on closing a 591 linear foot portion of Lambeth Circle was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Resolution #8895

SUBJECT: MAJOR SITE PLAN - CURRIN-PATTERSON RETAIL STORE

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve a site plan for "Currin-Patterson Retail Store", submitted by Quality Engineering, P.A., on behalf of Larry Patterson, consisting of one 5,000 square foot building on 1.10 acres, zoned NC (Neighborhood Commercial), located on the east side of Roxboro Road, west of Old Farm Road, and south of Seven Oaks Road. (Tax Map 748-01-005), PIN 0824-04-73-9128), City Atlas Page 12, Section D-4 was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: STATUS REPORT ON DURHAM'S WATER SUPPLY, AMENDMENTS TO STAGE III AND STAGE IV OF WATER CONSERVATION ORDINANCE

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive a report on the Status of Durham's Water Supply; and

To adopt "An Ordinance to Amend Chapter 23 of the Durham City Code to make Various Changes in Stage III and Stage IV Mandatory Water Conservation Requirements" was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Ordinance #12644

August 19, 2002

SUBJECT: BIDS – AUCTIONEERING SERVICES - WAYNE EVANS AUCTION COMPANY, INC.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to accept the bid from Wayne Evans Auction Company, Inc., in the sum of 5.05% of the gross sales for providing the City with Auctioneering Services for the 2002 Annual City Auction; and

To authorize the City Manager to enter into a contract with Wayne Evans Auction Company, Inc., in the sum of 5.05% of the gross sales for providing the City with Auctioneering Services for the 2002 Annual City Auction; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract; and

To adopt a resolution authorizing the Annual City Auction to be held on September 21, 2002 at 10:00 a.m. was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Resolution #8896

SUBJECT: BID REPORT – MAY 2002

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve and record in the minutes bids and items displayed that were acted upon by the City Manager during the month of May 2002 was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

CITY OF DURHAM NORTH CAROLINA

June 24, 2002

MEMO TO: Marcia L. Conner, City Manager

THROUGH: Navdeep S. Gill, Finance Director
Kenneth C. Pennoyer, Assistant Finance Director

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager

August 19, 2002

Bidders: Mother and Daughter Cleaning *\$17,775.60
Durham, NC

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|---|-----|-----------------|---|-----|
| Total Workforce | 4 | | # Black Males | 2 | 50% |
| Total # Females | 2 | 50% | # White Males | 0 | 0% |
| Total # Males | 2 | 50% | # Other Males | 0 | 0% |
| | | | # Black Females | 2 | 50% |
| | | | # White Females | 0 | 0% |
| | | | # Other Females | 0 | 0% |

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

3. Bid: Contract Extension – Janitorial Services for Lakewood Police Substation

Purpose of Bid: To provide the Lakewood Substation with a twelve (12) month firm contract price for janitorial services.

Comments: City Ordinance #11333 (Liveable Wage) is a part of this contract.

Quality Janitor has agreed to extend this contract with no price increase.

Opened: April 3, 2000

Bidders: Quality Janitor Service *\$16,603.92
Durham, NC

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|--------|-----------------|----|--------|
| Total Workforce | 82 | | # Black Males | 51 | 62.20% |
| Total # Females | 29 | 35.37% | # White Males | 0 | 0% |
| Total # Males | 53 | 64.63% | # Other Males | 2 | 02.44% |
| | | | # Black Females | 27 | 32.92% |
| | | | # White Females | 0 | 0% |
| | | | # Other Females | 2 | 02.44% |

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

August 19, 2002

The M/WBE Data Base was used in the solicitation of bids for this item.

4. Bid: Contract Extension – Estimated Annual Requirements for Zinc Orthophosphate

Purpose of Bid: This chemical is used in the water treatment process to help reduce corrosion control.

Comments: Shannon Chemical Corporation has agreed to extend the contract an additional (12) months with no price increase.

Opened: January 3, 2001

Bidders: Shannon Chemical Corporation *\$33,536.00
Malvern, PA

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|-----|-----------------|---|-----|
| Total Workforce | 12 | | # Black Males | 0 | 0% |
| Total # Females | 4 | 33% | # White Males | 8 | 67% |
| Total # Males | 8 | 67% | # Other Males | 0 | 0% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 4 | 33% |
| | | | # Other Females | 0 | 0% |

Performance Bond: ☐ Waived ☒ Not Waived ☐ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

5. Bid: Motorola Astro Spectra Radios

Purpose of Bid: To purchase eight (8) mobile radios for the Police Department

Comments: Motorola is the only known source for Motorola 800 MHz radios compatible with the City's radio system.

The funding source for this purchase is a "Law Enforcement Block Grant".

Opened: May 6, 2002

Bidders: Motorola, Inc. * \$26,608.00
Durham, NC

August 19, 2002

*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|--------|-----|-----------------|--------|-----|
| Total Workforce | 61,631 | | # Black Males | 2,381 | 4% |
| Total # Females | 18,899 | 31% | # White Males | 30,060 | 49% |
| Total # Males | 42,732 | 69% | # Other Males | 10,291 | 17% |
| | | | # Black Females | 1,892 | 3% |
| | | | # White Females | 11,966 | 19% |
| | | | # Other Females | 5,041 | 8% |

LOCATION OF PERFORMING CONTRACT
Raleigh, NC

| | | | | | |
|-----------------|----|-----|-----------------|----|-----|
| Total Workforce | 20 | | # Black Males | 3 | 15% |
| Total # Females | 3 | 15% | # White Males | 12 | 60% |
| Total # Males | 17 | 85% | # Other Males | 2 | 10% |
| | | | # Black Females | 1 | 5% |
| | | | # White Females | 2 | 10% |
| | | | # Other Females | 0 | 0% |

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

6. Bid: Miscellaneous Code 3® Brand Light Bar Parts

Purpose of Bid: To provide the Police Department with Code 3® brand light bar parts

Comments: These parts will be used to repair existing Police light bars.

The funding source for this purchase is a "Law Enforcement Block Grant".

Opened: May 6, 2002

| | | |
|----------|--|---------------|
| Bidders: | Southern Public Safety | * \$21,211.16 |
| | Greensboro, NC | |
| | Newton's Fire & Safety Equipment, Inc. | \$22,496.00 |
| | Sweptsonville, NC | |

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

August 19, 2002

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|-----------------|----|-----|-----------------|---|-----|
| Total Workforce | 12 | | # Black Males | 0 | 0% |
| Total # Females | 3 | 25% | # White Males | 9 | 75% |
| Total # Males | 9 | 75% | # Other Males | 0 | 0% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 3 | 25% |
| | | | # Other Females | 0 | 0% |

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

7. Bid: Evidence Collection Vehicle

Comments: The funding source for this purchase is a “Local Law Enforcement Block Grant”.

Opened: May 7, 2002

| | | |
|----------|-----------------------------------|---------------|
| Bidders: | Sirchie Finger Print Laboratories | * \$78,850.00 |
| | Medford, NJ | |
| | Farber Specialty Vehicles | \$84,780.00 |
| | Columbus, OH | |
| | Matthews Specialty Vehicles | \$99,532.30 |
| | Greensboro, NC | |

*Awarded based on: X Low Bid _____ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|-----|-----|-----------------|----|-----|
| Total Workforce | 131 | | # Black Males | 14 | 11% |
| Total # Females | 46 | 35% | # White Males | 63 | 48% |
| Total # Males | 85 | 65% | # Other Males | 8 | 6% |
| | | | # Black Females | 11 | 8% |
| | | | # White Females | 33 | 25% |
| | | | # Other Females | 2 | 2% |

Performance Bond: _____ Waived X Not Waived _____ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

8. Bid: Boiler Replacement at the Fleet Maintenance Facility

Purpose of Bid:

Comments:

August 19, 2002

Opened: May 9, 2002

| | | |
|----------|--|---------------|
| Bidders: | Progressive Plumbing & Piping, Inc. | * \$11,278.96 |
| | Durham, NC | |
| | Drains Plus, Inc. | \$11,448.63 |
| | Durham, NC | |
| | Mendenhall Mechanical Services Corporation | \$13,420.00 |
| | Durham, NC | |

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

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|-----------------|----|-----|-----------------|----|-----|
| Total Workforce | 35 | | # Black Males | 2 | 6% |
| Total # Females | 3 | 8% | # White Males | 26 | 74% |
| Total # Males | 32 | 92% | # Other Males | 4 | 12% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 3 | 8% |
| | | | # Other Females | 0 | 0% |

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

9. Bid: Emergency Heart Defibrillators

Purpose of Bid: To purchase seven (7) Emergency Heart Defibrillators for Fire Rescue

Opened: May 10, 2002

| | | |
|----------|----------------------------------|---------------|
| Bidders: | Southeastern Emergency Equipment | * \$20,212.00 |
| | Wake Forest, N.C. | |
| | Boundtree Medical | \$20,405.00 |
| | Raleigh, N.C. | |

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|-----|-----------------|----|-----|
| Total Workforce | 27 | | # Black Males | 0 | 0% |
| Total # Females | 13 | 48% | # White Males | 14 | 52% |
| Total # Males | 14 | 52% | # Other Males | 0 | 0% |
| | | | # Black Females | 1 | 04% |
| | | | # White Females | 12 | 44% |
| | | | # Other Females | 0 | 0% |

August 19, 2002

CITY OF DURHAM NORTH CAROLINA

July 10, 2002

MEMO TO: Marcia L. Conner, City Manager

THROUGH: Navdeep S. Gill, Finance Director
Kenneth C. Pennoyer, Assistant Finance Director

FROM: Joseph W. Clark, Purchasing Manager

SUBJECT: Bid Report

To approve and record in the minutes bids which were acted upon by the City Manager during the month of June 2002.

Apparatus, Supplies, Materials, Equipment, Construction and Repairwork:

1. Bid: Perkin-Elmer Maintenance Service Agreement

Purpose of Bid: This maintenance agreement is for South Durham WRF laboratory equipment to analyze metal in the wastewater. This is a twelve month maintenance agreement.

Comments: Perkin-Elmer is the sole source for parts, sales and service of Perkin-Elmer Equipment.

Opened: N/A

Bidders: Perkin-Elmer Instruments *\$20,178.00
Norwalk, CT

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

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|-----------------|-----|--------|-----------------|-----|--------|
| Total Workforce | 941 | | # Black Males | 32 | 03.40% |
| Total # Females | 197 | 20.94% | # White Males | 635 | 67.48% |
| Total # Males | 744 | 79.06% | # Other Males | 77 | 08.18% |
| | | | # Black Females | 26 | 02.76% |
| | | | # White Females | 137 | 14.56% |
| | | | # Other Females | 34 | 03.61% |

Performance Bond: _____ Waived _____ Not Waived X Not Required

2. Bid: Estimated Two (2) Year Requirements for Pest Control

August 19, 2002

Purpose of Bid:

Comments: To provide City of Durham facilities/buildings with pest control service. Bids were mailed to several vendors and only one response was received.

Opened: May 31, 2002

Bidders Clegg's Termite & Pest Control, Inc. *\$29,970.00
Durham, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|-----|-----------------|----|-----|
| Total Workforce | 47 | | # Black Males | 5 | 10% |
| Total # Females | 9 | 20% | # White Males | 24 | 51% |
| Total # Males | 38 | 80% | # Other Males | 9 | 20% |
| | | | # Black Females | 0 | 00% |
| | | | # White Females | 8 | 17% |
| | | | # Other Females | 1 | 02% |

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

3. Bid: Four (4) NCDOT Mast Arm Poles

Purpose of Bid: To purchase mast arm poles for the MLK Parkway

Comments: The bid award recommendation is for Traffic Distributor Links, Inc., because they had a shorter delivery period. The delivery time for Traffic Distributor Links, Inc., is 14-16 weeks, versus 18-20 weeks for Atlantic Technical Sales. Time is of the essence for these mast arm poles.

Opened: June 4, 2002

Bidders: Atlantic Technical Sales (non-responsive) \$17,346.00
Chantilly, VA
Traffic Distributor Links, Inc. * \$17,425.00
Zebulon, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

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|-----------------|---|-----|-----------------|---|-----|
| Total Workforce | 3 | | # Black Males | 0 | 0% |
| Total # Females | 2 | 67% | # White Males | 1 | 33% |
| Total # Males | 1 | 33% | # Other Males | 0 | 0% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 2 | 67% |
| | | | # Other Females | 0 | 0% |

The M/WBE Data Base was used in the solicitation of bids for this item.

*Awarded based on: Low Bid X Other (See Comments)

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|-----------------|-------|-------|-----------------|-------|--------|
| Total Workforce | 2,130 | | # Black Males | 704 | 33.05% |
| Total # Females | 260 | 12.2% | # White Males | 1,058 | 49.67% |
| Total # Males | 1,870 | 87.8% | # Other Males | 54 | 2.54% |
| | | | # Black Females | 53 | 2.49% |
| | | | # White Females | 255 | 11.97% |
| | | | # Other Females | 3 | 0.14% |

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August 19, 2002

Other Females 0 0%

Performance Bond: _____ Waived _____ Not Waived **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

5. Bid: Estimated Two (2) Years Requirements for Hydrofluosilicic Acid

Purpose of Bid: HFS is the final chemical added to the drinking water for the prevention of tooth decay.

Comments: The bid from Brenntag is considered non-responsive due to not being able to provide a firm price for the duration of the contract.

Opened: June 6, 2002

| | | |
|----------|---|--------------|
| Bidders: | Brenntag Southeast, Inc. (non-responsive) | \$52,104.27 |
| | Durham, NC | \$129.78/ton |
| | Lucier Chemical Industries, Inc. | *\$56,832.00 |
| | Jacksonville Beach, FL | \$142.08/ton |

*Awarded based on: _____ Low Bid **X** Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|-----|-----------------|----|-----|
| Total Workforce | 17 | | # Black Males | 0 | 0% |
| Total # Females | 11 | 65% | # White Males | 5 | 30% |
| Total # Males | 6 | 35% | # Other Males | 1 | 05% |
| | | | # Black Females | 1 | 05% |
| | | | # White Females | 10 | 60% |
| | | | # Other Females | 0 | 0% |

Performance Bond: _____ Waived **X** Not Waived _____ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

6. Bid: Replacement of two (2) 7.5 tons roof top heating and air conditioning units

Purpose of Bid: To replace and install two 7.5 tons roof top heating and air conditioning units at Fire Station No. 11 – Cornwallis Road

Comments:

Opened: June 7, 2002

August 19, 2002

| | | |
|----------|--------------------------------------|--------------|
| Bidders: | Mendenhall Mechanical Services Corp. | *\$14,425.00 |
| | Durham, NC | |
| | Comfort Engineers, Inc. | \$14,964.00 |
| | Durham, NC | |
| | Carolina Air Conditioning | \$14,984.00 |
| | Durham, NC | |

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|---|-----|-----------------|---|-----|
| Total Workforce | 5 | | # Black Males | 0 | 0% |
| Total # Females | 1 | 20% | # White Males | 4 | 80% |
| Total # Males | 4 | 80% | # Other Males | 0 | 0% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 1 | 20% |
| | | | # Other Females | 0 | 0% |

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

7. Bid: Estimated Annual Requirements for Remanufactured Automatic Bus Transmissions

Purpose of Bid: To establish an annual term contract for Remanufactured Automatic Bus Transmissions for DATA. Prices will be fixed for the duration of the contract.

Comments: \$6,597.19 per transmission (including installation)

Opened: June 7, 2002

| | | |
|----------|--------------------------------|---------------|
| Bidders: | Jasper Engines & Transmissions | * \$52,777.52 |
| | Greensboro, NC | |
| | Brakes, Inc. | \$92,720.00 |
| | Raleigh, NC | |
| | Covington Detroit Diesel | \$116,320.00 |
| | Greensboro, NC | |

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|-------|---------------|----|-------|
| Total Workforce | 19 | | # Black Males | 2 | 10.5% |
| Total # Females | 2 | 10.5% | # White Males | 15 | 79% |

August 19, 2002

| | | | | | |
|---------------|----|-------|-----------------|---|-------|
| Total # Males | 17 | 89.5% | # Other Males | 0 | 0% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 2 | 10.5% |
| | | | # Other Females | 0 | 0% |

Performance Bond: _____ Waived _____ Not Waived **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

8. Bid: Contract for Heil Refuse Equipment Parts

Purpose of Bid: To enter into a two-year firm price agreement for Heil brand
Refuse Equipment Parts

Comments: Carolina Environmental Systems is the sole regional source for
Heil brand Refuse Equipment Parts

Opened: June 8, 2002

Bidders: Carolina Environmental Systems *\$89,000.00
Kernersville, NC

*Awarded based on: _____ Low Bid **X** Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|-------|-----------------|----|-------|
| Total Workforce | 13 | | # Black Males | 0 | 0% |
| Total # Females | 2 | 15.4% | # White Males | 11 | 84.6% |
| Total # Males | 11 | 84.6% | # Other Males | 0 | 0% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 2 | 15.4% |
| | | | # Other Females | 0 | 0% |

Performance Bond: _____ Waived _____ Not Waived **X** Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

9. Bid: Contract for Oshkosh Truck Equipment Parts

Purpose of Bid: To enter into a two-year firm price agreement for Oshkosh brand
Truck Equipment Parts

Comments: The Oshkosh Truck Corporation is the sole regional source for
Oshkosh brand Truck Equipment Parts

Opened: June 8, 2002

August 19, 2002

Bidders: Oshkosh Truck Corporation * \$72,000.00
East Granby, CT

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|-----|-----|-----------------|-----|-------|
| Total Workforce | 431 | | # Black Males | 8 | 2.0% |
| Total # Females | 62 | 14% | # White Males | 350 | 81.0% |
| Total # Males | 369 | 86% | # Other Males | 11 | 3.0% |
| | | | # Black Females | 5 | 1.2% |
| | | | # White Females | 54 | 12.0% |
| | | | # Other Females | 3 | 0.8% |

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

10. Bid: Contract for Tymco Street Sweeper Equipment Parts

Purpose of Bid: To enter into a two-year firm price agreement for Tymco brand Street Sweeper Equipment Parts

Comments: Twin States Equipment is the sole regional source for Street Sweeper Equipment Parts

Opened: June 8, 2002

Bidders: Twin States Equipment, Inc. * \$48,000.00
Marshville, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|---|-------|-----------------|---|-------|
| Total Workforce | 6 | | # Black Males | 1 | 16.7% |
| Total # Females | 2 | 33.3% | # White Males | 3 | 50% |
| Total # Males | 4 | 66.7% | # Other Males | 0 | 0% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 2 | 33.3% |
| | | | # Other Females | 0 | 0% |

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

11. Bid: Contract for Chevrolet/GM OEM Parts

August 19, 2002

Purpose of Bid: To enter into a two-year firm price agreement for Chevrolet/GM OEM Parts

Comments: Bids were solicited from several Chevrolet dealers and only one response was received. Rick Hendrick Chevrolet is the only Chevrolet dealership in Durham County.

Opened: June 8, 2002

Bidders: Rick Hendrick Chevrolet * \$89,000.00
Durham, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|-----|-----|-----------------|----|-----|
| Total Workforce | 107 | | # Black Males | 19 | 18% |
| Total # Females | 24 | 22% | # White Males | 62 | 58% |
| Total # Males | 83 | 78% | # Other Males | 2 | 2% |
| | | | # Black Females | 5 | 4% |
| | | | # White Females | 18 | 17% |
| | | | # Other Females | 1 | 1% |

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

12. Bid: Contract for Toro Commercial Turf Equipment Parts

Purpose of Bid: To enter into a two-year firm price agreement for Toro brand Commercial Turf Equipment Parts

Comments: Smith Turf & Irrigation Company, Inc., is the sole regional source for Toro Commercial Turf Equipment Parts brand parts, sales, and service.

Opened: June 8, 2002

Bidders: Smith Turf & Irrigation Company, Inc. * \$36,000.00
Charlotte, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|-----|-----|-----------------|-----|-----|
| Total Workforce | 208 | | # Black Males | 14 | 7% |
| Total # Females | 40 | 19% | # White Males | 152 | 73% |
| Total # Males | 168 | 81% | # Other Males | 2 | 1% |
| | | | # Black Females | 2 | 1% |
| | | | # White Females | 35 | 17% |
| | | | # Other Females | 3 | 1% |

The M/WBE Data Base was used in the solicitation of bids for this item.

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|---|-----|-----------------|---|-----|
| Total Workforce | 7 | | # Black Males | 0 | 0% |
| Total # Females | 1 | 14% | # White Males | 6 | 86% |
| Total # Males | 6 | 86% | # Other Males | 0 | 0% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 1 | 14% |
| | | | # Other Females | 0 | 0% |

The M/WBE Data Base was used in the solicitation of bids for this item.

Comments: Briggs Construction Equipment, Inc., is the sole regional source for Case brand parts, sales, and service.

August 19, 2002

Opened: June 8, 2002

Bidders: Briggs Construction Equipment, Inc. * \$36,000.00
Raleigh, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|-----|-----|-----------------|-----|------|
| Total Workforce | 334 | | # Black Males | 8 | 2% |
| Total # Females | 39 | 12% | # White Males | 260 | 78% |
| Total # Males | 294 | 88% | # Other Males | 26 | 8% |
| | | | # Black Females | 2 | .5% |
| | | | # White Females | 32 | 10% |
| | | | # Other Females | 5 | 1.5% |

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

15. Bid: Contract for John Deere Commercial and Industrial Equipment Parts

Purpose of Bid: To enter into a two-year firm price agreement for John Deere brand Commercial and Industrial Equipment Parts

Comments: Bids were solicited from several John Deere dealers and only one response was received. Barnhill Equipment Company is the only John Deere dealer in Durham County.

Opened: June 8, 2002

Bidders: Barnhill Equipment Company * \$36,000.00
Durham, NC

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|-----|-----------------|----|-----|
| Total Workforce | 12 | | # Black Males | 0 | 0% |
| Total # Females | 1 | 8% | # White Males | 10 | 84% |
| Total # Males | 11 | 92% | # Other Males | 1 | 8% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 1 | 8% |
| | | | # Other Females | 0 | 0% |

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Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

16. Bid: Hach Water Treatment Equipment

Purpose of Bid: To purchase water treatment equipment (particle counters and turbidimeters) for the City's water treatment plants. This equipment purchased is needed to comply with higher filtration rates put in place by the North Carolina State Public Water Supply Section.

Comments: The Hach Company is the sole source for equipment compatible with existing equipment in the plants and the pilot plant.

Opened: June 19, 2002

Bidders: Hach Company * \$70,375.30
Loveland, CO

*Awarded based on: _____ Low Bid X Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|-----|-------|-----------------|-----|-------|
| Total Workforce | 619 | | # Black Males | 3 | 0.5% |
| Total # Females | 277 | 44.5% | # White Males | 313 | 50.7% |
| Total # Males | 342 | 55.5% | # Other Males | 26 | 4.3% |
| | | | # Black Females | 1 | 0.2% |
| | | | # White Females | 235 | 38% |
| | | | # Other Females | 41 | 6.3% |

Performance Bond: _____ Waived _____ Not Waived X Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

17. Bid: Customer & Billing Services - Water Bill Envelopes

Purpose of Bid: To provide CBS with envelopes for water bills.

Opened: June 20, 2002

Bidders: Unisource, Inc * \$10,263.00
Garner, N.C.
Double Envelope Co. \$11,456.00
Greensboro, N.C.
Triangle Business Forms, Inc \$12,671.00
Durham, N.C.

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| | |
|---|-------------|
| Progressive Business Solutions Raleigh, N.C. | \$13,835.00 |
| LSG, LLC Morrisville, N.C. | \$14,950.00 |

*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|------|-------|---------------|-----|-------|
| Total Workforce | 2059 | | # Black Males | 342 | 16.6% |
| Total # Females | 621 | 30.2% | # White Males | 960 | 46.6% |
| Total # Males | 1438 | 69.8% | # Other Males | 136 | 6.6% |
| # Black Females | 90 | 4.3% | | | |
| # White Females | 476 | 23.2% | | | |
| # Other Females | 55 | 2.7% | | | |

LOCATION PERFORMING CONTRACT
Raleigh, N.C.

| | | | | | |
|-----------------|----|-----|-----------------|----|-------|
| Total Workforce | 75 | | # Black Males | 20 | 26.7% |
| Total # Females | 15 | 20% | # White Males | 39 | 52% |
| Total # Males | 60 | 80% | # Other Males | 1 | 1.3% |
| | | | # Black Females | 1 | 1.3% |
| | | | # White Females | 14 | 18.7% |
| | | | # Other Females | 0 | 0% |

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

18. Bid: Acrylamide Grout

Purpose of Bid: To provide the Water & Sewer Maintenance Division with
Acrylamide Grout.

Comments: Acrylamide Grout is used to seal joints & leaks in underground
pipes.

Opened: June 21, 2002

| | | |
|----------|--|---------------|
| Bidders: | Avanti Material Sales, Ltd. Webster, TX | * \$29,280.00 |
| | Pomona Supply Company Greensboro, NC | \$30,125.00 |
| | Primeline Products, Inc. Edgewater, FL | \$38,805.00 |

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*Awarded based on: ☒ Low Bid ☐ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|-----|-----------------|---|-----|
| Total Workforce | 16 | | # Black Males | 0 | 0% |
| Total # Females | 7 | 44% | # White Males | 7 | 44% |
| Total # Males | 9 | 56% | # Other Males | 2 | 12% |
| | | | # Black Females | 0 | 0% |
| | | | # White Females | 7 | 44% |
| | | | # Other Females | 0 | 0% |

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

19. Bid: Contract for Volvo/Autocar Truck Parts

Purpose of Bid: To enter into a two-year firm price agreement for Volvo/Autocar Truck Parts

Comments: Central Carolina Trucks, Inc., is the sole regional source for Volvo/Autocar Truck Parts brand parts, sales, and service.

Opened: June 24, 2002

Bidders: Central Carolina Trucks, Inc. * \$84,000.00
Kernersville, NC

*Awarded based on: ☐ Low Bid ☒ Other (See Comments)

WORKFORCE STATISTICS
CORPORATION STATISTICS

| | | | | | |
|-----------------|----|-----|-----------------|----|-----|
| Total Workforce | 64 | | # Black Males | 5 | 7% |
| Total # Females | 12 | 19% | # White Males | 45 | 70% |
| Total # Males | 52 | 81% | # Other Males | 1 | 2% |
| | | | # Black Females | 1 | 2% |
| | | | # White Females | 11 | 17% |
| | | | # Other Females | 1 | 2% |

Performance Bond: ☐ Waived ☐ Not Waived ☒ Not Required

The M/WBE Data Base was used in the solicitation of bids for this item.

Sufficient funds were available at the time of the award. The Administration recommends acceptance of the above bids denoted by an asterisk (*).

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JWC:lm

**SUBJECT: SETTING THE DATE FOR THE PUBLIC HEARING ON THE
2001-2002 CONSOLIDATED ANNUAL PERFORMANCE AND
EVALUATION REPORT (CAPER) DRAFT**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to set the date for the public hearing on the 2001-2002 Consolidated Annual Performance and Evaluation Report (CAPER) Draft to be held on September 3, 2002 was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: NATIONAL PARK SERVICE URBAN PARK AND RECREATION
RECOVERY GRANT FOR LONG MEADOW PARK**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to submit a full application for the National Park Service Urban Park and Recreation Recovery Grant for Long Meadow Park was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: SETTING PUBLIC HEARING FOR THE CONFIRMATION OF
ASSESSMENT ROLLS - SEWER MAIN ON SOUTH ALSTON
AVENUE - WATER MAIN ON NC HWY 55 - SEWER MAIN ON
SOUTH ALSTON AVENUE**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt resolutions setting public hearings for September 3, 2002 for the following assessment rolls was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Sewer Main on South Alston Avenue - From South Property Line of Tax Map 555-4-15 to North Property Line of Tax Map 556-4-3A

Water Main on NC Hwy 55 - From North Property Line of Tax Map 541-2-2 to South Property Line of Tax Map 541-1-2

Sewer Main on South Alston Avenue - From South Property Line of Tax Map 406-3-5 to North Property Line of Tax Map 406-3-8

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Sewer Main on South Alston Avenue - From North Property Line of Tax Map 406-3-10 to South Property Line of Tax Map 406-3-9A

**SUBJECT: ASSESSMENT ROLL CORRECTION - WATER AND SEWER
LATERALS PEARSON DRIVE - BAY POINT DRIVE - OVERBY
DRIVE - RECIL T. AND MARY G. SMITH**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt a resolution for the correction of an error on the assessment roll for Water and Sewer Laterals on Pearson Drive from Bay Point Drive to Fayetteville Road; Bay Point Drive from Pearson Drive to Overby Drive and Overby Drive from Bay Point Drive to Mimosa Drive (grants full relief of the water and sewer lateral assessments against the property of Recil T. and Mary G. Smith because lateral charges were previously paid for this property) was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: WATER EXTENSION AGREEMENT WITH M/I
SCHOTTENSTEIN HOMES - ALEXANDER CROSSING**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to enter into a water extension agreement with M/I Schottenstein Homes to serve Alexander Crossing was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: WATER AND SEWER EXTENSION AGREEMENT - D. R.
HORTON, INC. - SWANN PROPERTY**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to enter into a water and sewer extension agreement with D. R. Horton, Inc. to serve Swann Property was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: WATER EXTENSION AGREEMENT WITH J. W. H.
PROPERTIES, INC. - ALEXANDER VILLAGE AT BRIER CREEK**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to enter into a water extension agreement with J. W. H. Properties, Inc. to serve Alexander Village at Brier Creek was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

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SUBJECT: PROHIBITED PARKING - PETTIGREW STREET

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt an ordinance prohibiting parking on the south side of Pettigrew Street, in the area beginning at the west curb line of Murphy Street, if extended, and extending for a distance of 110 feet westwardly was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Ordinance # 12645

**SUBJECT: STOP SIGNS - PROVIDENCE GLEN LANE - MIDDLETON ROAD
- HIGHGROVE LANE - COPPER CREEK DRIVE - SENIOR
AVENUE - GRAPEVINE TRAIL - RESIDENCE INN
BOULEVARD**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt an ordinance to authorize the installation of stop signs at the following locations was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

- (a) Providence Glen Lane at Middleton Road, southwest corner (Providence Ridge);
- (b) Middleton Road at Kenmont Road, southeast corner (Providence Ridge);
- (c) Highgrove Lane at Kenmont Road, southeast corner (Providence Ridge);
- (d) Copper Creek Drive at Crimson Creek Drive, southwest corner (Auburn Village);
- (e) Senior Avenue at Sophomore Court, southeast corner (Chancellor's Ridge);
- (f) Grapevine Trail at Old Chapel Hill Road, northwest corner;
- (g) Residence Inn Boulevard at NC 54, northwest corner; and
- (h) Residence Inn Boulevard at NC 55, southwest corner.

Ordinance #12646

**SUBJECT: SOUTH DURHAM WATER RECLAMATION FACILITY
STANDBY GENERATOR UPGRADES PROJECT - BRYANT
ELECTRIC CO., INC.**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to execute a contract with Bryant Electric Co., Inc. for the South Durham Water Reclamation Facility Standby Generator Upgrade Project in the amount of \$532,132; and

To authorize the City Manager to execute any necessary change orders encountered during the construction of the Standby Generator Upgrade Project provided the total cost

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of the project does not exceed \$558,740, which includes the project budget's contingency of 5%; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by City Council was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: EPA VULNERABILITY ASSESSMENT GRANT APPLICATION REQUEST

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to adopt the "City of Durham Grant Project Ordinance U.S. Environmental Protection Agency Water System Security" for acceptance of the grant was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Ordinance #12647

SUBJECT: CITY HALL COMPLEX, MAJOR HVAC EQUIPMENT REPLACEMENT - EDMONDSON ENGINEERS, P.A,

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to enter into a contract with Edmondson Engineers, P.A, for the sum of \$48,800 plus a \$10,000 contingency; and

To authorize the City Manager to negotiate and execute change orders provided that the total cost of all change orders does not exceed \$10,000 and the total cost does not exceed \$58,800 was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: FAYETTEVILLE ROAD WIDENING PROJECT ACQUISITIONS FROM PINE RIDGE APARTMENTS OF DURHAM, LLC AND TICON, INC.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to accept the dedication of the right of way and construction easement across Tax Map 522-02-001, PIN 0728-01-18-0317, property of Pine Ridge Apartments of Durham, LLC; and

To authorize a payment of \$29,384 to Pine Ridge Apartments of Durham, LLC for damages to the remainder; and

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To accept the dedication of the right of way and temporary construction easement across Tax Map 522-02-001E, PIN 0728-01-08-3494, property of Ticon, Inc., and

To authorize a payment of \$14,692 to Ticon, Inc. for damages to the remainder, for the Fayetteville Road Widening Project was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: ACQUISITION FOR THE FAYETTEVILLE ROAD WIDENING PROJECT – INNESBROOK INVESTMENT, INC.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve the acquisition of the fee simple right of way, temporary construction easement, permanent drainage easement, compensation for loss of income and damages to remainder, Tax Map 522-01-005C, PIN 0728-01-19-3525, property of Innesbrook Investment, Inc., for the Fayetteville Road Widening Project, in the amount of \$190,000 was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: PROPOSED THREE-YEAR LEASE AGREEMENT FOR MEMBERS CREDIT UNION – CITY OF DURHAM – CITY HALL ANNEX 1

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to execute a Lease Agreement between the City of Durham and Members Credit Union to lease space in the City Hall Annex I; and

To authorize the City Manager to modify the lease agreement, provided the modifications do not change the rental rate and are consistent with the general intent of the version of the lease agreement approved by City Council was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: RIGHT OF ENTRY AGREEMENT TO THE BULL CITY BASEBALL ASSOCIATION, INC. TO RENOVATE THE LONG MEADOW AND SCARBOROUGH BASEBALL FIELDS – PARCEL I.D. 128-07-001 AND 128-07-019 (CITY TRACTS #960 & #92)

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve the Right of Entry Agreement up to a two-year term upon Parcels 128-07-001 and 128-07-019 (City Tracts #960 & #92) at Long Meadow Park granting the Bull City Baseball Association, Inc. permission to make renovations and maintain the Long Meadow and Scarborough baseball fields; and

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To authorize the City Manager to extend the agreement up to six additional months; and,

To authorize the City Manager to execute and make changes to the agreement that are consistent with this agenda memorandum was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: REPORT ON CODE ENFORCEMENT ACTIVITIES

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive the updated report on code enforcement activity was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: REPORT ON VACANT STRUCTURES

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive a report on vacant/abandoned structures was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: PIZZA DELIVERY COMPLAINT - JOSEPH ANCRUM

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive a report from the Human Relations Department on a complaint made by Joseph Ancrum in regard to non-delivery of pizza to his residence was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: CRAIG H. FERRI

This was a citizen's matter at the 8-8-02 Work Session.

SUBJECT: JENNIFER COLE

Comments from Jennifer Cole regarding an awarded bid conflict at the 8-8-02 Work Session.

**SUBJECT: DURHAM ASSOCIATION FOR DOWNTOWN ARTS (DADA) -
ROBERT STROMBERG**

August 19, 2002

A request was heard from Robert Stromberg of DADA to regarding their August 31, 2002 Durham Bands Showcase at Durham Central Park.

SUBJECT: PROVIDING WATER TO NEW DEVELOPMENTS

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to receive a report from staff on providing water to new developments or construction sites during the drought conditions was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: PARTF GRANT ACCEPTANCE FOR THE DOWNTOWN TRAIL PROJECT

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to accept the Parks and Recreation Trust Fund Grant in the amount of \$200,695 for design and construction of the North/South Trail-Downtown segment; and to match the referenced grant with funding from the 1996 Parks and Recreation General Obligation Bonds in the amount of \$301,619, to be used for the same purposes as the PARTF grant was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: APPROVAL OF CITY COUNCIL MINUTES – CITY CLERK’S OFFICE

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to approve the following City Council minutes for the following meeting was approved at 9:11 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

August 5, 2002 – Regular Meeting

[ITEMS PULLED FROM CONSENT AGENDA]

SUBJECT: COMMUNICATION TOWER CONSULTANT RECOMMENDATIONS – CITYSCAPE

To authorize the City Manager to enter into contracts in a cumulative amount not to exceed \$60,000 for consulting services on communication towers as follows:

1. For review of technology related to new communication towers and antennae, recommending ordinance revisions - contract with Atlantic Group; and

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2. For review of potential for tower revenues and leases on publicly-owned properties - contract with CityScape; and
3. For provision of expert consultation to public bodies when applications for communication sites are considered - contract with CityScape.

To direct the administration to come back with a report on the viability of a master plan; and

To adopt "An Ordinance Amending the 2002-03 City of Durham Budget Ordinance, As Amended, The Same Being Ordinance 12575".

Frank Duke, City/County Planning Director, noted staff is recommending two different firms [Atlantic Group and CityScape] to provide services in different areas.

Council Member Stith spoke in support of all the work being completed by CityScape and staff moving forward with a master plan.

Council Member Cole-McFadden requested the administration to provide workforce stats for both firms.

Discussion was held on the firms.

A motion was made by Mayor Pro Tempore Cheek seconded by Council Member Clement to approve the item as printed on the agenda.

SUBSTITUTE MOTION by Council Member Stith seconded by Council Member Best to authorize the City Manager to enter into contracts in a cumulative amount not to exceed \$60,000 for consulting services on communication towers as follows; and

1. For review of technology related to new communication towers and antennae, recommending ordinance revisions - contract with CityScape; and
2. For review of potential for tower revenues and leases on publicly-owned properties - contract with CityScape; and
3. For provision of expert consultation to public bodies when applications for communication sites are considered - contract with CityScape.

To direct the administration to come back to Council with a report on the viability of a master plan; and

To adopt "An Ordinance Amending the 2002-03 City of Durham Budget Ordinance, As Amended, The Same Being Ordinance 12575" was approved 9:19 p.m. by the following vote: Ayes: Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: Mayor Bell and Mayor Pro Tempore Cheek. Absent: None.

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Ordinance #12648

SUBJECT: BIDS – INDUSTRIAL WORK UNIFORMS – G & K SERVICES

Council Member Clement asked questions relative to the number of bids.

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cheek to accept the bid from G & K Services, in the amount of \$112,663 for providing the City with Industrial Work Uniforms; and

To authorize the City Manager to enter into a contract with G & K Services, in the amount of \$112,663 for providing the City with Industrial Work Uniforms; and

To authorize the City Manager to modify the contract before execution provided that modifications do not increase the dollar amount of the contract and the modifications are consistent with the general intent of the existing version of the contract was approved at 9:20 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: DURHAM AFTER SCHOOL PROGRAM STRATEGY FY2003

Council Member Cole-McFadden asked questions regarding the after school program.

MOTION by Council Member Cole-McFadden seconded by Mayor Pro Tempore Cheek to adopt a grant project ordinance for FY 2002-2003, Governor's Crime Commission Title V grant for the Durham After School Project was approved at 9:23 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Ordinance #12649

SUBJECT: PERSONNEL ALLOCATION REPORT

Council Member Stith asked questions concerning the allocation report and timeline.

MOTION by Council Member Stith seconded by Council Member Best to receive the Personnel Allocation Report from the Administration was approved at 9:25 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

[GENERAL BUSINESS AGENDA]

SUBJECT: COMPUTER DONATION TO ST. CROIX, US VIRGIN ISLAND

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Council Member Cole-McFadden raised a concern with the wording used in staff's memo and requested the administration to come back with a report on how the agenda/review process is handled through the Manager's Office.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Edwards to authorize the City Manager to declare 218 obsolete desktop computers as surplus equipment and to authorize that this equipment be donated to local non-profit organizations; and

To authorize the City Manager to donate the balance of the unclaimed computers to the St. Croix schools for educational purposes after the 30 day advertising period to local non-profits, and to modify this donation before execution provided that modifications are consistent with the general intent of the donation was approved at 9:28 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: AMENDMENT NO. 4 TO CONTRACT BETWEEN CH2MHILL
AND THE CITY OF DURHAM**

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Stith to authorize the City Manager to execute Amendment No. 4 to the Water and Sewer Utility Business, Operations, Organization, Management and Expansion Contract with CH2MHILL in the amount of \$144,600 was approved at 9:33 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: STREET CLOSING - RONEY STREET CLOSING (SC01-3)
*CONTINUED FROM 8-7-02 COUNCIL MEETING***

To receive public comment on closing a 309 linear foot section of Roney Street between Hunt Street and Corporation Street.

To adopt an order to close Roney Street as identified.

Frank Duke, City/County Planning Director, requested that the public hearing be continued for two cycles.

Mayor Bell opened the public hearing.

MOTION by Council Member Clement seconded by Council Member Stith to continue the public hearing to the September 16, 2002 City Council Meeting was approved at 9:36 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

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SUBJECT: RESIDENCY REQUIREMENTS FOR EMPLOYMENT – CITY OF DURHAM

To receive a report from staff regarding residency requirements for employment with the City of Durham.

City Manager Conner requested that this item come back in two cycles.

MOTION by Council Member Clement seconded by Council Member Stith to continue this item to the September 16, 2002 City Council Meeting was approved at 9:37 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

[PUBLIC HEARINGS]

SUBJECT: ORDERING IMPROVEMENT - ENABLING ACT AUTHORITY - SEWER MAIN ON FARRINGTON ROAD

Lee Murphy, of the Public Works Department, briefed Council on the improvement.

Mayor Bell opened the public hearing.

R.H. White, of 126 White Oak Drive and representing Five Oaks Recreation Association, spoke in support of improvement, explained why they should not be assessed and urged Council to exempt them from assessment.

Lee Murphy informed Council that the administration is not assessing the property at this time just ordering the improvement.

Mayor Bell declared the public hearing closed.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Edwards to adopt a resolution ordering a Sewer Main on Farrington Road from the south property line of tax map 482-1-10A to Butler Street was approved at 9:40 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

SUBJECT: ORDERING IMPROVEMENT - ENABLING ACT AUTHORITY - SEWER MAIN ON LEONARD DRIVE

Lee Murphy, of the Public Works Department, briefed Council on the improvement.

Mayor Bell opened and declared the public hearing closed.

August 19, 2002

MOTION by Council Member Clement seconded by Council Member Edwards to adopt a resolution ordering a Sewer Main on Leonard Drive from the east property line of tax map 566-4-6 to Turner Street was approved at 9:41 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

**SUBJECT: MAJOR SPECIAL USE PERMIT - M02-01 -
VERIZON/WOODCROFT**

Motion A: (Approval With Conditions as presented) – To find that the applicant has successfully met the applicable requirements of the Durham zoning ordinance and application M02-01 is hereby granted with conditions as presented by Staff.

Motion B: (Approval With Other Conditions) - To direct the Planning Director to prepare a decision granting with conditions the use permit in Case M02-01. (Council should identify any conditions they wish to incorporate into their approval. Staff will prepare the decision for Council's next meeting for action).

Motion C: (Disapproval) - To direct the Planning Director to prepare a decision denying the use permit in Case M02-01. (Council should identify the findings they are unable to make so these can be incorporated into the decision. Staff will prepare the decision for Council's next meeting for action).

Deputy City Clerk Linda Bratcher swore in the following individuals: Dennis Doty and Ron Horvath.

Mayor Bell explained the proceedings for a major special use permit hearing.

The Mayor asked Council to reveal any possible conflicts and to withdraw from this hearing if necessary. Also, Mayor Bell asked if any Council Member had been exposed to any evidence or information that may not come out at the hearing tonight.

Ron Horvath identified himself as a representative for Verizon.

Mayor Bell opened the public hearing.

Testimony from Staff

Dennis Doty, of City/County Planning Department, briefed Council on the staff report. He requested that the staff report, attachments and exhibits be entered as evidence.

The Mayor asked if there were questions for staff.

There were no questions.

Testimony from Applicant

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Ron Horvath, representing the applicant, spoke in support of the request noting project is in conformance with all special requirements of the ordinance, will not adversely affect the health and safety of people in the surrounding area, and urged Council to approve project.

The Mayor asked if there were questions for staff.

Council Member Cole-McFadden asked the applicant if the neighbors were aware that this item was being heard tonight.

Ron Horvath, representing the applicant, replied yes.

No one spoke in opposition to the request.

Staff Recommendation

Dennis Doty, of the City/County Planning Department, noted that staff is recommending approval of the major special use permit with the conditions the project shall be completed in accordance with the approved site plan. Also, he distributed an order for Council consideration.

Mayor Bell declared the public hearing closed.

MOTION by Mayor Pro Tempore Cheek seconded by Council Member Clement to approve an order, upon certain conditions, a Major Special Use Permit for Verizon Communications [CASE M02-01] was approved at 9:52 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Ordinance #12650

SUBJECT: TERMINATION OF N.C.R-16 REDEVELOPMENT PLAN

Frank Duke, City/County Planning Director, briefed Council on this item.

Mayor Bell opened and declared the public hearing closed.

MOTION by Council Member Clement seconded by Mayor Pro Tempore Cheek to receive the recommendation of the Planning Commission regarding the proposed amendment to N.C.R-16; and

To adopt a resolution amending the redevelopment plan for N.C.R-16 to establish a terminate date of August 19, 2002 was approved at 9:54 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cheek and Council Members Best, Clement, Cole-McFadden, Edwards and Stith. Noes: None. Absent: None.

Resolution #8897

August 19, 2002

There being no further business to come before the City Council, the meeting was adjourned at 9:54 p.m.

Linda E. Bratcher
Deputy City Clerk